

**LITE DEPALMA GREENBERG & RIVAS, LLC**

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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MICHEL FERNANDEZ,	)	Civil Action No.08-5843 (PGS)
Petitioner,	)	
	)	<b>RULE 41 NOTICE OF VOLUNTARY</b>
v.	)	<b>DISMISSAL AND [PROPOSED]</b>
	)	<b>ORDER GRANTING DISMISSAL</b>
UNITED STATES OF AMERICA,	)	<b>WITHOUT PREJUDICE</b>
	)	
Respondent.	)	
	)	

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

**PLEASE TAKE NOTICE** that Petitioner Michel Fernandez, by counsel, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, hereby files this Notice of Voluntary Dismissal of this action without prejudice against the Respondent. This Notice is appropriate given that the Respondent has not filed any responsive pleading as of this date.


DATED: January 21, 2009

**LITE DEPALMA GREENBERG & RIVAS, LLC**

By: /s/ Alberto Rivas  
Alberto Rivas  
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IT IS SO ORDERED.

Dated: 1/22/09

  
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Hon. Peter G. Sheridan, U.S.D.J.